

DETAILED ACTION

Election/Restrictions

This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

There are NINE (9) categories of species elections. Applicant is required to elect one species from each of the NINE categories and follow further instructions as appropriate.

Category A: carrier protein domain (claims 4-7 and 54-57)

Species A-1: PK synthase

Species A-2: NRP synthase. If this species is elected, applicant must also choose whether the NRP synthase domain comprises PCP, ArCP, and/or ACP activity (please specify the combination if more than one activity is selected).

Species A-3: FA synthase

Justification: Each synthase comprises a chemically distinct structure and special technical feature.

Category B: biosynthetic enzyme hybrid (claim 8)

Category B-1: FA synthase

Category B-2: PK synthase

Category B-3: NRP synthase

Category B-4: A combination of Species B-1, B-2, and B-3 (please specify)

Justification: Each synthase comprises a chemically distinct structure and special technical feature.

Category C: reporter type or precursor reporter type (claims 18, 20 and 63-64)

Category C-1: affinity reporter

Category C-2: colored reporter

Category C-3: fluorescent reporter

Category C-4: magnetic reporter

Category C-5: radioisotopic reporter

Category C-6: peptide reporter

Category C-7: metal reporter

Category C-8: nucleic acid reporter

Category C-9: lipid reporter

Category C-10: glycosylation reporter

Category C-11: reactive reporter

Justification: Each reporter comprises a chemically distinct structure and special technical feature.

Category D: synthetic appendage label (claim 19)

Category D-1: protein chip immobilization label

Category D-2: two-hybrid or three-hybrid analysis label

Category D-3: trace purification label

Justification: Each label comprises physically different properties and special technical features.

Category E: secondary molecule (claims 22 and 66)

Category E-1: carbohydrate

Category E-2: peptide

Category E-3: oligonucleotide

Category E-4: synthetic reporter

Justification: Each reporter precursor comprises a chemically distinct structure and special technical feature.

Category F: molecular weight determination technique (claim 32)

Category F-1: gel electrophoresis

Category F-2: affinity chromatography

Category F-3: mass spectrometry

Category F-4: synthetic reporter

Justification: Each technique operates under different principles and comprises different special technical features.

Category G: method type (claims 35-37 and 71)

Category G-1: Assay expression/activity for protein of interest (claims 35 and 37)

Category G-2: Screen for proteins of interest (claims 36 and 71)

Justification: Each technique (i.e. assay vs. expression) operates under different principles and comprises different special technical features.

Category H: applications (claims 39-41)

Category H-1: cell

Category H-2: cell-line

Category H-3: organism

Category H-4: class of organism

Justification: Each living body constitutes differing forms of life with different special technical features.

Category X: removal method of synthetic appendage (claims 46-50)

Species X-1: light (claim 46)

Species X-2: heat (claim 47)

Species X-3: chemical reagent (claim 48)

Species X-4: enzymatic (claims 49-50)

Justification: Each method of removing appendages operates under different physical principles and special technical features.

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

The following claim(s) are generic: claims 1-3, 9-17, 21, 23-31, 33-34, 38, 42-45, 51-53, 58-62, 65, 67-70, and 72-76.

The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the reasons discussed above.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Papers related to this application may be submitted to Technical Center 1600 by facsimile transmission. Papers should be faxed to Technical Center 1600 via the

central PTO Fax Center. The faxing of such pages must conform with the notices published in the Official Gazette, 1096 OG 30 (November 15, 1988), 1156 OG 61 (November 16, 1993), and 1157 OG 94 (December 28, 1993)(See 37 CFR § 1.6(d)). The Central PTO Fax Center Number is (571) 273-8300.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Russell Negin, whose telephone number is (571) 272-1083. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, Marjorie Moran, Supervisory Patent Examiner, can be reached at (571) 272-0720.

Information regarding the status of the application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information on the PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Russell S. Negin/
Examiner, AU 1631
27 March 2010